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I hereby certify that this correspondence, along with any accompanying documents, pursuant to 37 C.F.R. §1.8, are being sent via facsimile to (703) 872-9306 with a confirmation copy deposited with the United States Postal Service via First Class mail addressed to: Office of Initial Patent Examination, Filing Receipt Corrections, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: January 5, 2005

By: 

Beverly Fletcher

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): **Michael J. Berardi, et al.**

Atty. Docket No.: **60655.1400**

Serial No.: **10/810,473**; Confirmation No.: **9805**

Examiner **TBA**

Date Filed: **March 26, 2004**

Group Art Unit: **2635**

Title: **SYSTEM AND METHOD FOR ENCODING INFORMATION IN
MAGNETIC STRIPE FORMAT FOR USE IN RADIO FREQUENCY
IDENTIFICATION TRANSACTIONS**

SECOND REQUEST FOR CORRECTION OF FILING RECEIPT DATA

Office of Initial Patent Examination
Filing Receipt Corrections
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Thank you for the Filing Receipt for the above-identified nonprovisional patent application.

On the Filing Receipt, please correct the errors in the Domestic Priority data. **Please add the following information to the Domestic Priority data: "a CIP of 10/340,352 01/10/2003 which claims benefit of 60/396,577 07/16/2002", as noted in the Preliminary Amendment filed herewith, a copy of which is attached.**

The above corrections are noted on the enclosed copy of the original filing receipt.

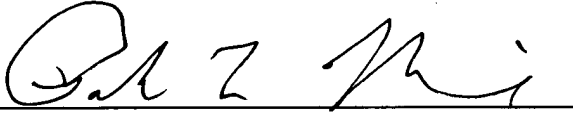
We look forward to receiving a corrected Filing Receipt for this application.

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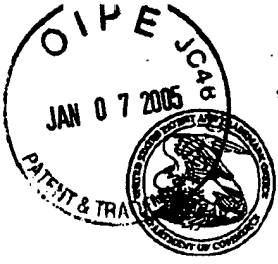
Should you have any questions, please do not hesitate to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Date: January 5, 2005

By 
Patrick L. Mixon
Reg. No. 47,801

SNELL & WILMER L.L.P.
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SNELL & WILMER

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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/810,473 ✓	03/26/2004 ✓	2635 ✓	770	60655.1400 ✓	9	15	3

CONFIRMATION NO. 9805

FILING RECEIPT



OC000000013361026

Patrick L. Mixon
Snell & Wilmer L.L.P.
One Arizona Center
400 East Van Buren
Phoenix, AZ 85004-2202

Date Mailed: 07/28/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Michael J. Berardi, Ft. Lauderdale, FL; ✓
Michal Bliman, Matawan, NJ; ✓
David S. Bonalle, New Rochelle, NY; ✓
Peter D. Saunders, Salt Lake City, UT; ✓

Assignment For Published Patent Application

American Express Travel Related Systems Company, Inc.;

Domestic Priority data as claimed by applicant

This application is a CIP of 10/192,488 07/09/2002 ✓
which claims benefit of 60/304,216 07/10/2001 ✓
α CIP of 10/340,352 01/10/2003
which claims benefit of 60/396,577 07/16/2002

Foreign Applications

If Required, Foreign Filing License Granted: 07/27/2004

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

Noted for receipt Correction due 8-12-04

Title

System and method for encoding information in magnetic stripe format for use in radio frequency identification transactions ✓

Preliminary Class

340

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

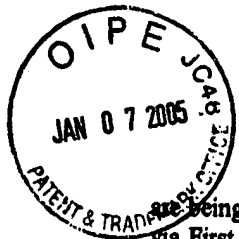
The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



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Date: January 5, 2005

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IDENTIFICATION TRANSACTIONS**

PRELIMINARY AMENDMENT

Box: Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Dear Sir:

The Applicants respectfully request entry of the following preliminary amendment, prior to examination and publication of the above-identified application. No new matter is submitted with the proposed amendment.

PRELIMINARY AMENDMENT

Please replace the first paragraph of the application under "Related Applications" with the following new Paragraph:

"This invention is a continuation-in-part of, and claims priority to U.S. Patent Application No. 10/192,488, entitled "SYSTEM AND METHOD FOR PAYMENT USING RADIO FREQUENCY IDENTIFICATION IN CONTACT AND CONTACTLESS TRANSACTIONS," filed on July 9, 2002 (which itself claims priority to U.S. Provisional Patent Application No. 60/304,216, filed July 10, 2001), and is also a continuation-in-part of and claims priority to U.S. Patent Application No. 10/340,352, entitled "SYSTEM AND METHOD FOR INCENTING PAYMENT USING RADIO FREQUENCY IDENTIFICATION IN CONTACT AND CONTACTLESS TRANSACTIONS," filed January 10, 2003 (which itself claims priority to U.S. Provisional Patent Application No. 60/396,577, filed July 16, 2002), all of which are incorporated herein by reference."

REMARKS

The Applicants hereby submit this Preliminary Amendment in the above noted application. The proposed preliminary amendment corrects the recitation of Related Applications to which the present application claims priority. Applicants request entry of the Amendment prior to Examination.

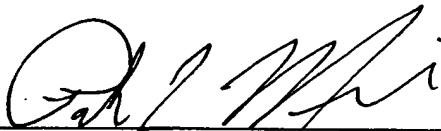
The Examiner is permitted to charge any additional fees regarding this amendment, or credit any overpayment, to deposit account No. 19-2814. A duplicate copy of this request is enclosed for your use.

Should the Examiner wish to discuss any of the above in greater detail or deem that amendments should be made to improve the form of the application or petition, then the Examiner is invited to telephone the undersigned at the Examiner's convenience.

Respectfully submitted,

Date: January 5, 2005

By



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Reg. No. 47,801

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